	Case 3:08-cv-03514-JSW Documen	t 6 Filed 07/22/2008 Page 1 of 4
1 2 3 4 5 6 7 8		ee and the United TES DISTRICT COURT
9	NORTHERN DI	STRICT OF CALIFORNIA
11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	The International Olympic Committee and the United States Olympic Committee, Plaintiffs, v. Does 1-10, inclusive, Defendants.	Case No. DECLARATION OF KAI LINTUMAA IN SUPPORT OF PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER

I, KAI LINTUMAA, HEREBY DECLARE AS FOLLOWS:

- 1. I am employed by Safir Rosetti, a security and investigations firm managed by former New York City Police Commissioner Howard Safir and cofounded by former Director of Security at IBM, Joseph Rosetti. I have been employed by Plaintiffs' counsel to investigate matters relating to this case. I am personally familiar with the facts and circumstances set forth herein, and would and could competently testify to them if called as a witness.
- 2. As part of my investigative duties in this case, I visited the website http://beijingticketing.com on July 8, 2008. A true and correct copy of the home page of that website is attached hereto as **Exhibit A.** From the home page, I clicked on a link labeled "Opening Ceremony Tickets," which brought me to a page with prices for tickets to the Opening Ceremony. I clicked on the link labeled "Order," which brought me to a page on which to select the quantity of tickets desired in either of two categories: "A Best Seating in Venue," with the listed price of \$2150 per ticket, or "B Next Best Seating," with a listed price of \$1750 per ticket. I selected one ticket in category B and clicked on the link "Add to Cart."
- 3. I then clicked on a link allowing me to continue shopping. Beijingticketing.com offered a variety of tickets to individual events of the Olympic Games, including tickets to each day of the competition and frequently including several pricing options depending on where the seats are located at the event. The tickets offered for sale ranged in price, from as low as \$100 for early individual competitions, to as high as \$2150 per ticket for the Opening Ceremony. By following a similar sequence of links as my first ticket order, I proceeded to add to my order one ticket to the event "Kayak Flatwater," which cost \$125.
- 4. I was then directed to a page requiring me to create an account and enter various personal information, including name, gender, email address, phone number, billing address, and delivery address. I entered the requested information. I was then brought to a page requiring that I enter my credit card information. I

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then entered credit card information. I continued to follow the instructions until my purchase was complete. I specified that these tickets should be sent to me on an expedited basis by so requesting in a notes field, an option provided on the Beijing Ticketing website.

- Attached as Exhibit B is a true and correct copy of an email 5. confirmation sent to me from sales@beijingticketing.com confirming my order.
- After completing the transaction, I sent several email messages to the 6. address sales@beijingticketing.com repeating my request that my order be expedited and the tickets be delivered as quickly as possible. I received no response. Attached as Exhibit C are true and correct copies of those emails.
- Using the telephone number given on the website (+44.207.593.2088), 7. I attempted to call and repeat my request that my order be expedited, but without success. Each time I called, I received only continuous ringing with no response.
- On July 15, 2008, at 5:21 p.m. PDT, I again called the customer 8. service number. The phone rang continuously, with no recording or answering service. The call disconnected automatically after three minutes.
- I then emailed their sales department inquiring about the status of my 9. order. The next morning, I received a response stating "Sorry really busy here. All tickets will be dispatched to you on 25th July 2008 by Fedex." Attached hereto as **Exhibit D** is a true and correct copy of this email exchange.
- On July 17, 2008 at 9:08 a.m. PDT, I again called the telephone 10. number listed on the website. Again, the phone rang repeatedly and ultimately disconnected.
- My credit card has been charged for the tickets I ostensibly purchased 11. but I have not received them, nor do I expect to receive them.
 - I also visited each of the following websites: 12.
 - www.2008-0lympics.com;
 - www.beijingolympic2008tickets.com;

- www.beijingolympictickets2008.com
- www.beijingticketing2008.com
- www.olympic-tickets.net
- www.olympicticketsbeijing2008.com
- www.buy-olympic-tickets.co.uk

True and correct copies of the home pages of those websites are attached hereto as **Exhibit E.** Each of those websites looked nearly identical to each other.

- 13. I proceeded to follow the steps to order tickets from each of these websites. When I selected the option to actually purchase tickets, however, I was seamlessly redirected to the BeijingTicketing.com's purchase transaction page.
- 14. Like BeijingTicketing.com, each of these sites, with the exception of www.buy-olympic-tickets.co.uk, lists XLH or X.L. & H. Ltd. as the owner of the site and further states that XLH is a Delaware corporation, with an address at 2415 Camelback Road, Suite 700, Phoenix, Arizona, and a phone number that begins with +44, the country code for the United Kingdom. At my direction, one of Safir Rosetti's contract investigators visited the Arizona address listed for XLH and confirmed that XLH does not have a physical address at 2415 Camelback Road, Suite 700, Phoenix, Arizona. In fact, that address is the address for several different companies, including a well known law firm, but not for any ticket dealer. The final website, www.buy-olympic-tickets.co.uk, lists The Online Ticket [sic] Shop as the registrant with an address in London.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 21st day of July, 2008, at San Francisco, California.

KL

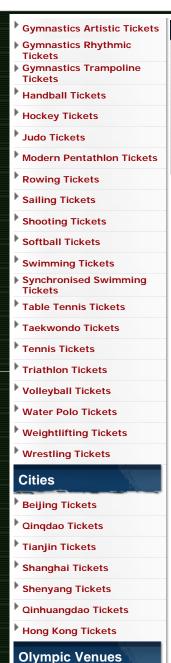
Kai Lintumaa

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Page 2 of 6



Baseball Tickets	🥇 Gymnastics Artistic Tickets	方 Softball Tickets
Basketball Tickets	Gymnastics Rhythmic Tickets	为 Swimming Tickets
Beach Volleyball Tickets	Cymnastics Trampoline Tickets	Synchronised Swimming Tickets
Boxing Tickets	Handball Tickets	为 Table Tennis Tickets
Closing Ceremony Tickets	Hockey Tickets	芳 Taekwondo Tickets
Cycling BMX Tickets	Judo Tickets	芳 Tennis Tickets
Cycling Mountain Bike Tickets	🏂 Kayak Flatwater Tickets	🏂 Triathlon Tickets
Cycling Road Tickets	Kayak Slalom Tickets	Yolleyball Tickets
Cycling Track Tickets	Modern Pentathlon Tickets	Water Polo Tickets
Diving Tickets	7 Opening Ceremony Tickets	Weightlifting Tickets

Hot Selling Olympic Summer Games:

BeijingTicketing is experienced ticket agent now selling Summer Olympic Tickets which is going to take place in China (Beijing, Quingdao, Tianjin, Shanghai, Shenyang, Qinhuangdao, Hong Kong). Browse hundreds of tickets for all sessions of Men's and Women's sports of Olympic Summer Games, sorted by date and can be searched by sport, venue and dates.

Hot Selling Olympic Summer Games:

The Olympic Games is the longest run athletics competition in history, and Summer 2008 Olympics tickets are a passport to this rich world of tradition and ceremony. The 2008 Summer Olympics in Beijing, China, will be known as the Games of the XXIX Olympiad. The Olympics will be celebrated from August 8, 2008 to August 24, 2008. Buy tickets to Beijing Summer Olympic and see this awesome festival live! Popular games of Olympic are as follows.

Olympic Tickets: Opening Ceremony Beijing Olympic Tickets: Swiming Final Tickets Beijing

Olympic Tickets: Tennis Singles & Final Tickets Beijing Olympic Tickets: Gymnastic Rythmic Tickets Beijing

Olympic Tickets: Closing Ceremony Beijing

Ticketing Summary:

- BeijingTicketing reserve the rights to change timeline dates and prices.
- Ticketing information and event schedule are subject to change on this site.
- Buying tickets from BeijingTicketing will protect your purchase from frauds.
- We make sure that your Olympic Tickets are guaranteed and secure.
- Browse Event Calendar to find your tickets.
- Download printable, easy to use Event Schedule

Coming Up Next: Vancouver 2010 Winter Olympic Games

Pricing and ticket information for the Winter Games in Vancouver Canada are currently unavailable as it is not provided by Official Seller. BeijingTicketing is selling tickets for Summer Olympic Games Tickets and will sell tickets for all events at the Winter Games (Olympic 2010), so please check back with our site for up-to-date information, or register with us to get free updates on the Olympic Games.

Facts About Summer Olympic 2008

- BEIJING The head of ticket sales for the Olympics 2008
- The sale of 1.85 million tickets, available first-come first-served bases.
- Beijing was elected the host city on July 13 2001 during the 112th Session in Moscow, beating Toronto Paris Istanbul, and Osaka
- The centerpiece of the 2008 Summer Olympics will be the Beijing National Stadium, nicknamed











Bookmark BeijingTicketing.com



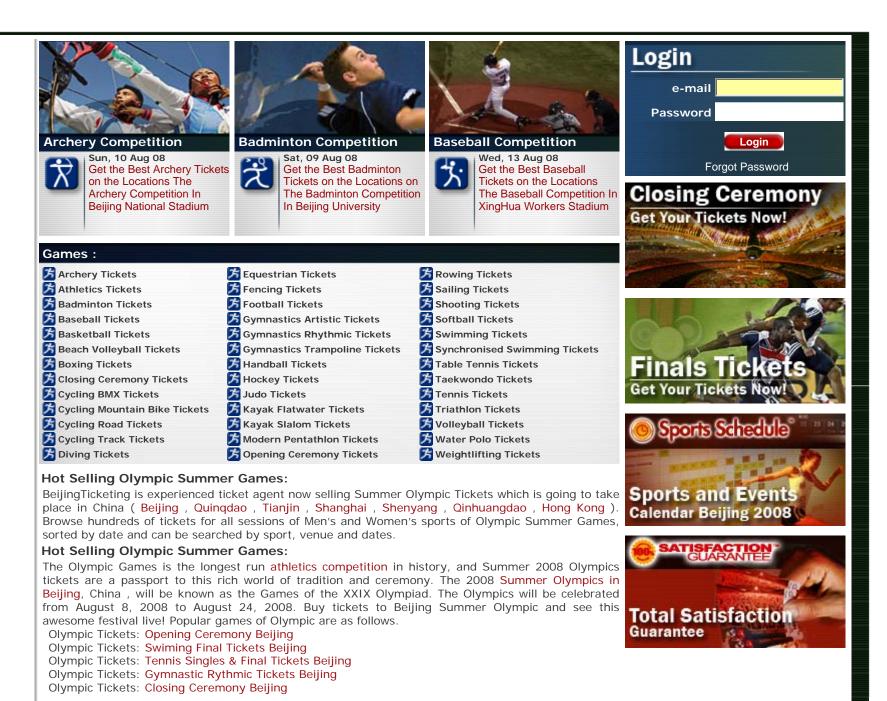
Case 3:08-cv-03514-JSW

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Document 6-2

Filed 07/22/2008

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Page 5 of 6

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- Beijing was elected the host city on July 13 2001 during the 112th Session in Moscow, beating

 Transactions Toronto Paris Istanbul, and Osaka
- The centerpiece of the 2008 Summer Olympics will be the Beijing National Stadium, nicknamed the "Bird Nest" because of its nest -like skeletal structure.
- The Beijing municipal authority has declared that more than 70 local laws and decrees would be made before the 2008 Summer Olympics.
- The calendar for the 2008 Olympic Games is the most recent version of the games schedule.
- The Main Press Centre (MPC) is the central work place for the 5,600 accredited written and photographic press covering the 2008 Olympic Games.
- Media Service Guide for accredited media organizations for the Beijing 2008 Paralympic Games is released on the official website of BOCOG.





Bookmark BeijingTicketing.com















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Venues

- ▶ Beijing Institute of Technology Gymnasium
- ▶ Beijing Shooting Complex
- Beijing University of Aeronautics And Astronautics Gymnasium
- ▶ Beijing University of Technology Gymnasium
- ▶ Capital Indoor Stadium
- Chaoyang Park Beach Volleyball Ground
- China Agricultural University Gymnasium
- ▶ Fencing Hall
- Fengtai Softball Field
- ▶ Hong Kong Equestrian Venue (Beas River)
- ▶ Hong Kong Equestrian Venue (Shatin)
- Laoshan Bicycle Moto Cross (BMX) Venue
- Laoshan Mountain Bike Course

- ▶ Laoshan Velodrome
- Modern Pentathlon Venue
- National Aquatics Centre
- ▶ National Indoor Stadium
- National Stadium
- ▶ Olympic Green Archery Field
- ▶ Olympic Green Hockey Field
- **▶ Olympic Green Tennis Centre**
- ▶ Olympic Sports Centre Gymnasium
- ▶ Peking University Gymnasium
- ▶ Qingdao Olympic Sailing Centre
- ▶ Qinhuangdao Olympic Sports Centre
- Stadium ____
- ▶ Shanghai Stadium

- ▶ Shenyang Olympic Sports Centre Stadium
- ▶ Shunyi Olympic Rowing-Canoeing Park
- ▶ Tianjin Olympic Centre Stadium
- ▶ Triathlon Venue

Page 6 of 6

- University of Science and Technology Beijing Gymnasium
- ▶ Cycling Road Course
- Workers Indoor Arena
- **▶** Workers Stadium
- ▶ Wukesong Baseball Field
- ▶ Wukesong Indoor Stadium
- ▶ Ying Tung Natatorium

Beijing 2008 Ticketing is a well known tickets agent and a trusted market place for buyers to find book Olympic tickets. We assure 100 % guaranteed tickets delivery.

Olympic Summer Games - Olympic Finals - Olympic Venues



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Olympic 2008 Schedule Olympic 2008 Request Tickets





Kai Lintumaa

REDACTED

Your Payment Received.

1 message

sales@beijingticketing.com <sales@beijingticketing.com>

Wed, Jul 9, 2008 at 12:59 AM

Cc: admin@beijingticketing.com

Home - Sign In

Quantity:

Quantity:

Price:

Total:

\$1750.00

\$1750.00

\$125.00

\$125.00

Price:

Total:

Dear Mr. Kai Lintumaa

Thanks for choosing our services to book your tickets online. We have received the payment and your tickets will be dispatched within 2-4 four weeks prior to the event date.

American Express Card Users:

Please Note that orders with American Express cards will be charged in British Pounds (GBP) Currency. Currency conversion rates of the order date will be used in currency conversion. Please be advised that your credit card statement will show transaction in GBP (British Pounds) against this order. Please contact our sales team if you need any further assistance.

Many Thanks

Beijingticketing.com

Order #:

31065

OrderDate:

Tuesday, July 08, 2008

Order Status:

Paid

Sport:

Opening Ceremony - (ZO01)

Date:

Friday, August 08, 2008

Time:

20:00 - 23:30

Category: Next Best seating National Stadium

Venue:

Citv:

Beijing

Session

Details:

Opening Ceremony

Sport: Date:

Kayak Flatwater - (CF01) Monday, August 18, 2008

Time:

15:30 - 17:44

Category: Best Seating in venue

Venue:

Shunyi Olympic Rowing Canoeing Park

City:

Beijing

Men's K1 1000m Heats

Session

Men's C1 1000m Heats

Details:

Women's K4 500m Heats Men's K2 1000m Heats

Men's C2 1000m Heats

Men's K4 1000m Heats

Sub Total: \$1875.00 **Delivery Fee:** \$30.00 Total: \$1905.00

Featured Events



Archery Competition



Sun, 10 Aug 08 **Get the Best** Archery Tickets on the Locations The **Archery** Competition In Beijing National Stadium

Badminton Competition



Sat, 09 Aug 08 Get the Best **Badminton Tickets** on the Locations **The Badminton Competition In Beijing University**



Baseball Competition



Web, 13 Aug 08 Get the Best Baseball Tickets on the Locations The **Baseball** Competition In

Wukesong Baseball Field

Weightlifting Tickets

Games: Archery Tickets Equestrian Tickets Rowing Tickets Athletics Tickets Fencing Tickets Sailing Tickets Badminton Tickets Football Tickets Shooting Tickets **Gymnastics Artistic** Softball Tickets Baseball Tickets **Tickets** Gymnastics Rhythmic Basketball Tickets Swimming Tickets Tickets **A**Gymnastics Trampoline Synchronised Swimming Beach Volleyball Tickets **Tickets** <u>Tickets</u> Boxing Tickets <u>★ Handball Tickets</u> Table Tennis Tickets Closing Ceremony Hockey Tickets <u>Taekwondo Tickets</u> Tickets Cycling BMX Tickets 到Judo Tickets Tennis Tickets Cycling Mountain Bike Kayak Flatwater Tickets Triathlon Tickets <u>Tickets</u> Cycling Road Tickets Kayak Slalom Tickets Volleyball Tickets Modern Pentathlon Cycling Track Tickets Water Polo Tickets **Tickets** Opening Ceremony

Questions?

<u>Diving Tickets</u>

Please feel free to contact www.BeijingTicketing.com team for any queries and further information.

> Ticket Search Helpline: +44 (0) 207 593 2088 Ticket Sales: sales@beijingticketing.com General Information: sales@beijingticketing.com

<u>Tickets</u>



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Terms and Conditions | Contact us at:sales@beijingticketing.com

Reply Reply to all Forward & Close Help

From: kai **REDACTED**Sent: Fri 7/11/2008 9:38 PM

To: Kai Lintumaa

Cc:

Subject: Fwd: Your Payment Received.

Attachments:

View As Web Page

7/11/08 6:39 PM

From: Kai Lintumaa < ____REDACTED

Date: Wed, Jul 9, 2008 at 6:12 PM Subject: Re: Your Payment Received. To: sales@beijingticketing.com

Hi,

How will the tickets be sent? Should I place my doorman on notice to expect a package or will they be delivered via regular mail?

Also wanted to make sure that the order will be expedited and wanted to find out if there is any other information you might need from me to do so?

Thank you for your excellent and prompt service.

Best Regards,

Kai Lintumaa

On Jul 9, 2008, at 12:59 AM, sales@beijingticketing.com wrote:

Home - Sa In

Dear Mr. Kai Lintumaa

Thanks for choosing our services to book your tickets online. We have received the payment and your tickets will be dispatched within 2-4 four weeks prior to the event date.

American Express Card Users:

Please Note that orders with American Express cards will be charged in British Pounds (GBP) Currency. Currency conversion rates of the order date will be used in currency conversion. Please be advised that your credit card statement will show transaction in GBP (British Pounds) against this order. Please contact our sales team if you need any further assistance.

Many Thanks

Beijingticketing.com

Fwd: Your Payment Receivase 3:08-cv-03514-JSW

Order #: 31065

OrderDate: Tuesday, July 08, 2008

Order Status:Paid

Sport: Opening Ceremony - (ZO01)

Date: Friday, August 08, 2008

Time: 20:00 - 23:30 Quantity: Category: Next Best seating Price: \$1750.00 Venue: National Stadium Total: \$1750.00

City: Beijing

Session Details : Opening Ceremony

Kayak Flatwater - (CF01) Sport: Monday, August 18, 2008 Date:

15:30 - 17:44 Time:

Best Seating in venue Category:

Shunyi Olympic Rowing Canoeing Park Quantity: Venue:

Beijing City: Price: \$125.00

Men's K1 1000m Heats Total: \$125.00

Men's C1 1000m Heats

Women's K4 500m Heats

Session Details: Men's K2 1000m Heats Men's C2 1000m Heats

Men's K4 1000m Heats

Sub Total: \$1875.00 Delivery Fee: \$30.00 Total: \$1905.00

Featured Events

Archery Competition

Fwd: Your Payment Receivase 3:08-cv-03514-JSW

Egymenter Conserva-

Basenul Competition

Sun, 10 Aug 08 **Get the Best Archery**

Tickets on the Locations The Archery Competition In Beijing National Stadium

Sat, 09 Aug 08 Get the Best Badminton **Tickets on the Locations** The Badminton Competition In Beijing University

Web, 13 Aug 08 Get the Best Baseball **Tickets on the Locations** The Baseball Competition In Wukesong Baseball Field

Games:				
Archery Tickets	Equestrian Tickets	Rowing Tickets		
Athletics Tickets	Fencing Tickets	Sailing Tickets		
<u>Badminton Tickets</u>	Football Tickets	Shooting Tickets		
Baseball Tickets	Gymnastics Artistic Tickets	Softball Tickets		
Basketball Tickets	Gymnastics Rhythmic Tickets	Swimming Tickets		
Beach Volleyball Tickets	Gymnastics Trampoline Tickets	Synchronised Swimming Tickets		
Boxing Tickets	<u>Handball Tickets</u>	<u>Table Tennis Tickets</u>		
Closing Ceremony Tickets	Hockey Tickets	Taekwondo Tickets		
Cycling BMX Tickets	<u>Judo Tickets</u>	<u>Tennis Tickets</u>		
Cycling Mountain Bike Tickets	<u>Kayak Flatwater Tickets</u>	<u>Triathlon Tickets</u>		
Cycling Road Tickets	Kayak Slalom Tickets	<u>Volleyball Tickets</u>		
Cycling Track Tickets	Modern Pentathlon Tickets	Water Polo Tickets		
Diving Tickets	Opening Ceremony Tickets	Weightlifting Tickets		

Questions?

Please feel free to contact www.BeijingTicketing.com team for any queries and further information.

Ticket Search Helpline:

+44 (0) 207 593 2088

Ticket Sales:

sales@beijingticketing.com

General Information:

sales@beijingticketing.com

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Terms and Conditions | Contact us at:sales@beijingticketing.com

Kai Lintumaa

From: kai REDATEDU

Sent: Wednesday, July 16, 2008 8:16 AM

To: Kai Lintumaa

Subject: Fwd: Order Number 31065

Forwarded conversation

Subject: Order Number 31065

From: kai < REDACTED_>

Date: Tue, Jul 15, 2008 at 6:41 PM To: sales@beijingticketing.com

Dear Beijingticketing.com Customer Service,

I tried calling your customer service number and got no answer or a chance to leave a message but wanted to find out the status of my order (order number 31065) especially since the opening ceremony is quickly approaching and I need to finalize my plans for travel etc.

I also requested for expedited service and would thoroughly appreciate a quick response as to when I can expect to receive the tickets?

Thank you in advance for your prompt service.

Sincerely,

Kai Lintumaa

On Wed, Jul 9, 2008 at 12:59 AM, < sales@beijingticketing.com> wrote:

Home - Sign In

Dear Mr. Kai Lintumaa

Thanks for choosing our services to book your tickets online. We have received the payment and your tickets will be dispatched within 2-4 four weeks prior to the event date.

American Express Card Users:

Please Note that orders with American Express cards will be charged in British Pounds

conversion.	. Please be advised sh Pounds) agains	l that yo	on rates of the order dat ur credit card statemen der. Please contact our	t will she	ow transa	ction in
Many Thar	nks					
Beijingtick	eting.com					
Venue : City :		Tu Pai ony - (7 08, 2008	O01)	Pr	uantity : rice : otal :	1 \$1750.00 \$1750.00
Session Details: Sport:	Session Details: Opening Ceremony					
Date : Time :	Monday, Augus 15:30 - 17:44 Best Seating in v Shunyi Olympic Beijing Men's K1 1000n Men's C1 1000n	venue Rowing	80	P	uantity : rice : otal :	1 \$125.00 \$125.00
Session Details :	Women's K4 50 Men's K2 1000n Men's C2 1000n Men's K4 1000n	0m Hear n Heats n Heats	ts			
Sub Total			75.00			
Delivery Fee: Total :		\$30. \$190	00)5.00			
Featured E	Events	Ψ1)(75.00		p 19	
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Get t Ticke Loca Com	npetition 10 Aug 08 the Best Archery ets on the tions The Archery petition In Beijing onal Stadium	Badmii	Sat, 09 Aug 08 Get the Best Badminton Tickets on the Locations The Badminton Competition In Beijing University	Baseba	Tickets or Locations Competiti	ug 08 est Baseball 1 the The Baseball
Cames						

h	I	-			
Archery Tickets	<u>Equestrian Tickets</u>	Rowing Tickets			
Athletics Tickets	Fencing Tickets	Sailing Tickets			
Badminton Tickets	Football Tickets	Shooting Tickets			
Baseball Tickets	Gymnastics Artistic Tickets	Softball Tickets			
Basketball Tickets	Gymnastics Rhythmic Tickets	Swimming Tickets			
Beach Volleyball Tickets	Gymnastics Trampoline Tickets	Synchronised Swimming Tickets			
Boxing Tickets	Handball Tickets	Table Tennis Tickets			
Closing Ceremony Tickets	Hockey Tickets	Taekwondo Tickets			
Cycling BMX Tickets	Judo Tickets	Tennis Tickets			
Cycling Mountain Bike Tickets	Kayak Flatwater Tickets	Triathlon Tickets			
Cycling Road Tickets	Kayak Slalom Tickets	Volleyball Tickets			
Cycling Track Tickets	Modern Pentathlon Tickets	Water Polo Tickets			
Diving Tickets	Opening Ceremony Tickets	Weightlifting Tickets			
Questions?					

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sales@beijingticketing.com



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Terms and Conditions | Contact us at:sales@beijingticketing.com

From: <sales@beijingticketing.com>
Date: Wed, Jul 16, 2008 at 1:41 AM
To: kai < REDACTED

Hi There,

Sorry really busy here.

All tickets will be dispatched to you on 25th July 2008 by Fedex.

Regards,

Sales

From: kai

Date: 7/16/08 1:33

Subject: Order Number 31065